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*Attorneys for Defendants David M. Carlson, Enterprise Focus, Inc.,
and Clever Capital, LLC*

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:

GIGA WATT, INC.,

Debtor.

MARK D. WALDRON, in his
capacity as the duly-appointed
Chapter 11 Trustee,

Plaintiff,

v.

DAVID M. CARLSON and
JANE DOE 1, individually and
on behalf of the marital estate;
ENTERPRISE FOCUS, INC., a
Washington corporation;
CLEVER CAPITAL, LLC, a
Washington limited liability

) Case No. 18-03197-FPC11

) **Adv. No. 19-80012-FPC**

) Chapter 11

) **OBJECTION TO CHAPTER 11**
) **TRUSTEE'S MOTION FOR:**
) **(1) EXPEDITED DISCOVERY;**
) **AND (2) EXPEDITED**
) **CONSIDERATION**

OBJECTION . . . - 1



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1 company; JEFFREY FIELD;)
2 ROB TRAVIS; and JANE DOES)
3 2 through 15,)
4)
5 Defendants.)

6 Defendants David M. Carlson, Enterprise Focus, Inc., and Clever
7 Capital, LLC, by and through their attorneys of record Piskel Yahne
8 Kovarik, PLLC, respectfully submit their Objection to Chapter 11 Trustee's
9 Motion for Expedited Discovery and for Expedited Consideration Thereof
10 ("Objection"). This Objection is based on the following:

11 In or about the afternoon of May 9, 2019, the law firm of Piskel
12 Yahne Kovarik, PLLC was engaged as counsel. On May 9, 2019, the
13 Chapter 11 Trustee filed its Motion for Expedited Discovery; Expedited
14 Consideration Thereof ("Motions") (ECF No. 23). The Chapter 11 Trustee
15 filed a Notice of Motions, providing less than twenty-four hours to object
16 to the relief requested--May 10, 2019 at 12:00 p.m. (PST) (ECF No. 24).
17 Furthermore, Jason T. Piskel of Piskel Yahne Kovarik, PLLC is in Missouri
18 taking a deposition at this time, and is scheduled to return prior to May 13,
19 2019. Counsel is in the process of reviewing the pleading and records to
20 confer with Pamela M. Egan of CKR Law LLP.
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1 To that end, this morning, May 10, 2019, Pamela M. Egan was
2 promptly contacted telephonically and defense counsel is preparing to
3 have a productive and cooperative telephone conference to confer
4 regarding the scope and scheduling of discovery on or before Monday, May
5 13, 2019, which may resolve the issues set forth in the Motions. This
6 objection is, thus, necessitated under the circumstances including by the
7 exceptionally abbreviated time period within which to object. Accordingly,
8 it is respectfully requested that the Court deny the Chapter 11 Trustee's
9 Motion for Expedited Discovery and Expedited Consideration Thereof.
10
11

12 DATED this 10th day of May 2019.

13 PISKEL YAHNE KOVARIK, PLLC
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15
16 /s/ Benjamin J. McDonnell
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